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29 Attorneys for Defendant
30 INNOVATION ASSOCIATES, INC.

31 IN THE UNITED STATES DISTRICT COURT

32 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

33 _____)
34 MERRIMAK CAPITAL COMPANY, LLC, a) Case No. C 06-06680 CRB
35 California limited liability company,)
36 Plaintiff,) STIPULATION AND [PROPOSED]
37 vs.) ORDER TO CONTINUE CASE
38) MANAGEMENT CONFERENCE
39 CVS PHARMACY, INC., a Rhode Island)
40 corporation; CVS CORPORATION, a Delaware)
41 corporation; INNOVATION ASSOCIATES,)
42 INC., a New York corporation; and DOES)
43 1-100,)
44 Defendants.)
45 _____)

1 WHEREAS the next case management conference in this case is set to take place
2 on July 6, 2007 at 8:30 a.m.; and

3 WHEREAS that case management conference was scheduled based on the parties'
4 and their respective counsel's belief that the mediation in this case would take place no
5 later than June of 2007, and with the intention of that case management conference
6 serving as a vehicle for the parties and counsel to report to the Court regarding the results
7 of that mediation; and

8 WHEREAS the mediator selected by the parties, The Honorable Gary L. Taylor,
9 United States District Court for the Central District of California (retired), has become
10 unavailable during the month of June 2007 as a result of a personal medical procedure;
11 and

12 WHEREAS, in light of Judge Taylor's schedule and that of the parties and their
13 counsel, the earliest date on which the mediation could be scheduled was July 27, 2007;
14 The parties and their counsel hereby stipulate, and respectfully request that the
15 Court order, that the case management conference in this case be continued to a date
16 sometime after July 27, 2007.

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18 Dated: June 8, 2007.

PILLSBURY WINTHROP SHAW PITTMAN LLP
FRANK E. SIEGLITZ
WESLEY C.J. EHLERS
400 Capitol Mall, Suite 1700
Sacramento, CA 95814-4419

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By _____ /s/ Wesley C. J. Ehlers

22 Attorneys for Plaintiff
23 MERRIMAK CAPITAL COMPANY, LLC

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1 Dated: June 8, 2007.

REED SMITH LLP
SCOTT H. JACOBS
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NATASHA SUNG
355 S. Grand Avenue, Suite 2900
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5 By _____ /s/ Scott H. Jacobs _____
6 Attorneys for Defendants
7 CVS PHARMACY, INC. and CVS CORPORATION
8 (As authorized by counsel on June 8, 2007)

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Dated: June 7, 2007.

MULVANEY, KAHAN & BARRY
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401 West A Street, 17th Floor
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By _____ /s/ Patrick L. Prindle _____
Attorneys for Defendant
INNOVATION ASSOCIATES, INC.
(As authorized by counsel on June 7, 2007)

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Based on the stipulation of the parties and their counsel as set forth above, and
good cause appearing for the relief requested, the Court hereby orders that the case
management conference currently scheduled for July 6, 2007 at 8:30 a.m. be continued to

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August 10, 2007 at 8:30 a.m.

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21 Dated: June 11, 2007.

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ORDER

Based on the stipulation of the parties and their counsel as set forth above, and
good cause appearing for the relief requested, the Court hereby orders that the case
management conference currently scheduled for July 6, 2007 at 8:30 a.m. be continued to

August 10, 2007 at 8:30 a.m.

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